

PROB 12C
(7/93)

Report Date: December 20, 2012

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 20 2012

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ramiro Josue Villa

Case Number: 2:10CR06090-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: 4/1/2010

Original Offense: Bulk Cash Smuggling, 31 U.S.C. § 5616 & 5332

Original Sentence: Prison - 0

Type of Supervision: Supervised Release

TSR - 0

Probation - 36 Months

Asst. U.S. Attorney: Alexander Carl Ekstrom

Date Supervision Commenced: 7/27/2012

Defense Attorney: Diane E. Hehir

Date Supervision Expires: 7/26/2014

 PETITIONING THE COURT

To issue a warrant,

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Standard Condition # 7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: Ramiro Villa is considered in violation of his period of supervised release by using a controlled substance, marijuana, on or prior to December 7, 2012.

On December 7, 2012, the defendant reported to the probation office in Richland and provided a urinalysis sample for testing. The defendant admitted to using methamphetamine and marijuana so the sample was sent directly in for confirmation.

On December 18, 2012, the sample was confirmed positive for marijuana. As noted above the defendant admitted to using methamphetamine also. The defendant had stated the mixture of methamphetamine and marijuana allowed him to get the high of the methamphetamine while allowing him to keep his appetite through the use of the marijuana.

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- 2 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Ramiro Villa is considered in violation of his period of supervised release by failing to comply with chemical dependency treatment.

On December 17, 2012, and December 18, 2012, the defendant was scheduled to participate in outpatient treatment at First Step Community Counseling. The defendant failed to report as scheduled. At this time, the defendant is in noncompliance with his treatment.

- 3 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ramiro Villa is considered in violation of his period of supervised release by failing to report for urinalysis testing on December 13, 2012, and December 18, 2012.

On December 13, 2012, and December 18, 2012, the defendant failed to report for random urinalysis testing. The defendant is required to contact a color code line at First Step Community Counseling on a daily basis and report when his color is called. On each of the dates listed above the defendant's color was called but he failed to report.

- 4 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Ramiro Villa is considered in violation of his period of supervised release by failing to follow directions to phone his probation officer on or prior to December 15, 2012.

On December 13, 2012, this officer attempted to contact the defendant at his mother's residence and was advised he was not there. A card with all of my contact numbers was left at the residence with a request that the defendant call this officer as soon as he got it. The defendant failed to call.

On December 14, 2012, phone contact was made with the defendant's mother and she agreed to advise the defendant to call this officer. Once again, the defendant failed to call.

On December 15, 2012, a voice message was received from the defendant's mother stating she had provided the defendant with the message to call this officer but he was unwilling to do so. To date, the defendant has not contacted this officer.

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Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Ramiro Villa is considered in violation of his period of supervised release by failing to report as directed on December 17, 2012.

On December 16, 2012, the defendant was seen in the front yard of his mother's home by this officer. He was directed to report to the probation office on December 17, 2012, at 10 a.m.. The defendant subsequently failed to report and has failed to contact this officer since.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

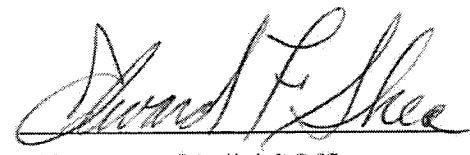
Executed on: 12/20/2012

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

December 20, 2012

Date